

**APPLICATION FOR CERTIFICATE OF FINANCIAL RESPONSIBILITY
FOR OPERATORS OR OWNERS OF
NONTANK VESSELS (300 GT OR GREATER)**

(Certificates of financial responsibility are not required for non-self propelled
nontank vessels that do not carry oil of any kind)

(Please type or print clearly in English when completing this application. Refer to pages 9 and 10 of this
application packet for complete instructions)

SECTION A. General Information - Applicant

1. Legal name of applicant (operator or owner of vessel). Include English equivalent of legal name if customarily written in a language other than English.
2. Trade name (name generally known to the public):
3. Applicant's complete mailing address (street number, post office box, city, state or country and zip code), telephone number and facsimile number including area and city codes: Telephone number: Facsimile number:
4. Type of business entity (i.e., sole proprietor, corporation, partnership):
5. If a corporation, provide the following: Date of incorporation: State or foreign country of incorporation:

6. If a partnership, state the name of each general partner:

7. If a subsidiary, provide the following information:

a. Name of parent corporation:

b. Date of incorporation:

c. State or foreign country in which incorporated:

8. Has applicant or parent corporation ever been named as debtor in a voluntary or involuntary proceeding under Title 11 (Bankruptcy) , United States Code or similar non-U.S. statute? (If yes, please explain on a separate sheet.)

Yes____ No____

9. Address of applicant's principal office in the U.S., if any:

10. Name, mailing address, telephone number, and facsimile number of owner of the vessel.

Telephone number:

Facsimile number:

11. Name, mailing address, telephone number, and facsimile number of the person(s) operating the vessel.

Telephone number:

Facsimile number:

12. Name, address, telephone number and facsimile number of person to contact if necessary to clarify this application:

Telephone number:

Facsimile number:

13. Name and street address (not P.O. Box) where the certificate(s) should be delivered, and

Telephone number:

Facsimile number:

FOR OFFICE USE ONLY

APPLICATION FEE OF USD \$100.00 PER VESSEL RECEIVED ON:
WIRING IDENTIFICATION:
BY:

DATE FORWARDED TO ACCOUNTING (FASB):
BY:

SECTION B. Vessel Data

(If this application applies to more than one vessel, list the information for each vessel on separate sheets if necessary.)

<p>1. Registered name of vessel, flag, registry number, radio call sign, Lloyd's Register number.</p> <p>a. Vessel name:</p> <p>b. Flag:</p> <p>c. Registry Number:</p> <p>d. Radio call sign:</p> <p>e. Lloyd's Register Number:</p>
<p>2. Is the vessel "double hull"?</p>
<p>3. United States Coast Guard "Vessel Certificate of Financial Responsibility (Water Pollution)" number(s) and expiration date(s):</p>
<p>4. Please state the method (i.e., self-insurance, insurance, surety bond, financial guaranty, etc.), AND name of the entity providing your federal financial responsibility coverage required by the Oil Pollution Act of 1990 (OPA-90).</p>
<p>5. Type of nontank vessel (dry cargo, bulk carrier, containership, reefer, roll on-roll off, passenger, fishing, <u>barge</u>, <u>marine construction vessel</u>, etc.):</p>
<p>6. Largest fuel tank capacity in barrels <u>for other than marine construction vessels (as defined in Section 791(c)) and nontank barges (as defined in Section 791(d)). For marine construction vessels and nontank barges, indicate total volume of fuel:</u></p>
<p>7. Gross tonnage:</p>

SECTION C. EVIDENCE OF FINANCIAL RESPONSIBILITY

1. Owners or operators of nontank vessels (300 gt or greater) must demonstrate the financial ability to pay at least \$300 million U.S. dollars (USD \$300,000,000) for damages arising from an oil spill. Certificates of financial responsibility are not required for non-self propelled nontank vessels that do not carry oil of any kind .
2. Owners or operators of marine construction vessels (as defined in Section 791(c)) and nontank barges (as defined in Section 791(d)) shall demonstrate their current financial ability to pay the following appropriate amount of financial responsibility: \$1,000,000 for those that have a carrying capacity from less than 1 to not more than 10 barrels, \$5,000,000 for those that have the carrying capacity from 11 to not more than 50 barrels, \$10,000,000 for those that have the carrying capacity from 51 to not more than 500 barrels, ~~\$12,500,000~~ \$18,900,000 for those that have the carrying capacity from 501 to not more than 1000 barrels. Those marine construction vessels that have a carrying capacity from 1001 to not more than 4499 barrels shall determine the amount of financial responsibility by multiplying the maximum per barrel ~~clean-up and damage cost of spilled oil (\$12,500)~~ (\$18,900) times the total carrying capacity volume of fuel on the marine construction vessel, as measured in barrels.
- 2.3. Operators or owners of nontank vessels must check all method(s) to be used to demonstrate evidence of financial responsibility in item 3 below. For each method used attach copies of the required evidence as indicated below.
- 3.4. Method(s) for demonstrating financial responsibility (Indicate the method or methods selecte
d)

_____ **Proof of entry in _____ Protection and Indemnity Club.**
(provide name)

Submit the following evidence:

Copy of the **Certificate of Entry**, all addenda pertaining to the amount and applicability of oil pollution cover and amount of deductibles. *A P&I Club Confirmation letter does not meet this requirement.*

Note: Annually, certificate holders are required to submit written certification of renewal of P & I Club membership within 30 days after renewal of coverage. Within 90 days after renewal, certificate holders must submit complete documentation acceptable to the Administrator showing renewal of P & I Club membership as the method for demonstrating evidence of financial responsibility. Acceptable written documentation includes, but is not limited to, a copy of the renewal Certificate of Entry or addendum, which contains the minimum information required by Title 14, California Code of Regulations, Section 795(f), and any additional terms or limitations which may affect coverage, including the renewal and new expiration dates.

_____ **Insurance.** Submit any of the following evidence:

- (A) Insurance policy or other documentation, and a certificate of insurance specifying the nature, type, amount of insurance, language that the policy covers damages as specified in Government Code Section 8670.56.5(g), and any conditions and limitations in the coverage for marine pollution liability; or
- (B) An endorsement executed by the underwriter or insurer which contains the language set forth in the California standard endorsement. Refer to the California Endorsement for Vessels, FG OSPR Form 1929 (3/99); or
- (C) Similar or comparable assurance acceptable to the Administrator.

[Refer to Title 14, California Code of Regulations, Section 795(a) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Self-Insurance**

[Refer to Title 14, California Code of Regulations, Section 795(b) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Surety Bond** issued from a bonding company authorized to do business in the United States.

[Refer to Title 14, California Code of Regulations, Section 795(c) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Irrevocable Standby Letter of Credit** in favor of the State of California.

[Refer to Title 14, California Code of Regulations, Section 795(d) for complete information regarding this method for demonstrating financial responsibility.]

_____ **Guaranty**

[Refer to Title 14, California Code of Regulations, Section 795(e) for complete information regarding this method for demonstrating financial responsibility.]

SECTION D. DECLARATION

(Must be completed by all applicants)

I, _____ (print name) am the applicant/a principal of the applicant/authorized agent */or official of the applicant, and have the authority to sign this application on behalf of the applicant. I DECLARE under penalty of perjury that I have examined this application, including all accompanying schedules and statements, and to the best of my knowledge, information and belief, find it to be true, correct, and complete. Furthermore, it is agreed that the applicant named in Section A of this application is the responsible party in the event of an oil spill. I execute this declaration in my capacity as applicant, an authorized official of the applicant, or, if acting under a power of attorney, under the power vested in me by the applicant as evidenced by the attached documents.

Date

Signature

Title or Official Capacity

* Note: If the Declaration is signed by an agent of the applicant, the applicant or a principal of the applicant named in Section A, item 1 must sign the Delegation of Authority below (Section E).

SECTION E. DELEGATION OF AUTHORITY BY THE APPLICANT

(Must be completed by the applicant named in Section A, item 1 if the above declaration has been executed by an agent acting on behalf of the applicant)

I, _____ (name of the applicant from Section A,
item 1) hereby declares that _____ (name of authorized
agent whose signature appears in Section D) is authorized to submit this application for a
Certificate of Financial Responsibility on the applicant's behalf.

Date

Signature

Title or Official Capacity

INSTRUCTIONS

1. Please type or print clearly in English when completing this application.
2. Please fax the completed application with a copy of the wire transfer receipt (see item 8. for wiring instructions) for the USD \$100.00 per vessel application fee and the remittance information to:

Department of Fish and Game
Office of Spill Prevention and Response (OSPR)
Sacramento, CA
(916) 323-4727

3. The application is comprised of five sections:
 - a. Section A, General Information, must be completed by all applicants. Certificates of financial responsibility are not required for non-self propelled nontank vessels that do not carry oil of any kind.
 - b. Section B, Nontank Vessel Data, must be completed by operators or owners of nontank vessels.
 - c. Section C, Evidence of Financial Responsibility, must be completed by operators or owners of nontank vessels.
 - d. Section D, Declaration, must be completed by all applicants.
 - e. Section E, Delegation of Authority, must be executed by the applicant or a principal of the applicant when an application is signed by an agent of the applicant.
4. Application Process:
 - a. Operators or owners of nontank vessels:
 - (1) Applications will be reviewed within 21 calendar days of receipt for operators or owners of nontank vessels.
 - (2) Certificates will be issued within that period provided that adequate information was furnished in the application and acceptable evidence of financial responsibility has been received.
5. Miscellaneous application instructions:
 - a. If a question does not apply, answer "not applicable."
 - b. Applications which are incomplete will not be processed until receipt of additional information needed to complete processing
 - c. If additional space is required, supplemental sheets may be attached.

6. Renewal Process:

Renewal applications and application fee of USD \$100.00 per vessel must be submitted no earlier than 90 days and no later than 45 days prior to the expiration date carried by the existing certificate. Renewal applications may be obtained from the Office of Spill Prevention and Response.

7. Please contact the Financial Responsibility Unit at (916) 324-3413 or FAX (916) 323-4727 if you have any questions.

8. Please follow the wiring instructions provided below, complete the attached remitting information page and send by fax along with a receipt of wired funds and your completed application(s) to:

Department of Fish & Game
Office of Spill Prevention & Response (OSPR)
Sacramento, CA
Facsimile number (916) 323-4727.

**Bank of America Wire Instructions
Department of Fish & Game**

Wire to: Bank of America Sacramento Main #1489
555 Capitol Mall Suite 265
Sacramento, CA 95814

For Credit to State of California
Account #01482-80005

ABA #121000358

Beneficiary: State of Calif., Dept. of Fish & Game
Account #01482-80005

Reference: Beneficiary Information - OSPR Nontank Fund 0320
Department of Fish & Game Contact ~~person~~ accounts receivable at:
~~Nanci Williams~~ (916) 653-0894, FAX (916) 653-5850.

REMITTING INFORMATION

Date:

Amount:

Number of vessels:

Nontank Vessel Names:

Remitter's Name:

Remitter's Address:

Contact Person:

Contact Telephone Number:

Originating Financial Institution:

Originating Financial Institution Telephone Number:

Destination Financial Institution: Bank of America ABA: 121000358

Account Number (STO): 01482-80005

Beneficiary Information: Department of Fish & Game, OSPR Nontank Fund 0320